



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

HD:hd  
Docket No: 00256-00  
1 May 2000

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: CWO2 [REDACTED], USN [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 7 Jan 00 w/attachments  
(2) PERS-811D memo dtd 28 Mar 00  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that she was granted a waiver of eight months' time in rate and commissioned in the grade of chief warrant officer (W3) (CWO3) with a date of rank and acceptance date (effective date) of 1 November 1997.
2. The Board, consisting of Messrs. Frankfurt and Tew and Ms. Moidel, reviewed Petitioner's allegations of error and injustice on 20 April 2000, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
  - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
  - b. Petitioner contends that the Navy routinely commissions master chiefs in the grade of CWO3 as long as they have 24 months' time in rate. She says that at commissioning, she was a master chief with 16 months' time in rate and 20 years of active duty; that she served as a master chief for 18 months with a frocking date of 29 April 1996; that when she was selected as an alternate to CWO2, she was offered her first choice, orders to an aircraft carrier; and that because of her excitement and the opportunity to go back to sea as a security officer, she did not realize that if she had requested and been granted a time in rate waiver, or a delay in commissioning of eight months, she could have been commissioned in the same fiscal year to CWO3. She advises that without a waiver of the eight months she has

requested, she will have to wait 48 months from the time of commissioning to be eligible for promotion to CWO3.

c. In correspondence attached as enclosure (2), the Navy Personnel Command (NPC) office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action. They recommend that her request for a waiver of eight months' time in rate be approved, and that she be appointed to CWO3 retroactive to 1 November 1997.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.


#### RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show she was commissioned in the grade of chief warrant officer (W3), U. S. Navy, with a date of rank and acceptance date (effective date) of 1 November 1997; and that her lineal precedence be adjusted accordingly.

b. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
JONATHAN S. RUSKIN  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PFEIFFER  
Executive Director

256-00



**DEPARTMENT OF THE NAVY**

**NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000**

1131  
Ser 811D/OU127  
28 Mar 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN CASE OF  
CHIEF WARRANT OFFICER [REDACTED]  
[REDACTED]

1. Upon review of the circumstances and discussion with  
the LDO/CWO Officer Community Manager, waiver of the eight  
months time in rate is granted. Recommend approval of  
appointment to CW03 retroactive to 1 November 1997.

[REDACTED]  
[REDACTED]  
By direction

Copy to:  
DCNO (N131L)